

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

CHRISTOPHER TATE)
Plaintiff,)
v.)
MICHAEL WENGER, individually and in) No. 1:04-CV-379
official capacity; JEFF LANCASTER,)
individually and in his official capacity; JOHN)
DOES, City of Chattanooga Police Officers;)
RON ROES, City of Chattanooga Police)
Supervisors, individually and in their official)
capacities; and THE CITY OF)
CHATTANOOGA, a Tennessee Municipal)
Corporation;)
Defendants.)
Judge Curtis L. Collier

ORDER

Plaintiff Christopher Tate filed a motion for leave to file an amended complaint pursuant to Fed. R. Civ. P. 15(a) (Court File No. 65). In accordance with Rule 72(b) of the Federal Rules of Civil Procedure, Magistrate Judge Susan K. Lee filed a report and recommendation (“R&R”) recommending the motion for leave to amend be denied (Court File No. 71). Neither party filed objections within the given five days.¹

After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's findings of fact, conclusions of law, and recommendations pursuant to 28 U.S.C. § 636(b)(1), and Rule 72(b),

¹ Normally parties may object within ten days of the issuance of an R&R. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). However, given the short time until trial, the parties agreed if they had objections, they would be filed within five days (Court File No. 71, p. 9).

and hereby **DENIES** Plaintiff's motion for leave to file an amended complaint (Court File No. 65).

SO ORDERED.

ENTER:

/s/

**CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE**